



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

APR 26 2019

From: Secretary of the Navy
To: CAPT Heedong Choi, USN

Subj: SECRETARIAL LETTER OF CENSURE

Ref: (a) 5 C.F.R. Part 2635
(b) Uniform Code of Military Justice
(c) DoD 5500.07-R (JER)
(d) U.S. Navy Regulations, 1990
(e) JAGMAN 0114a

1. From 2008 to 2013, while serving in a number of U.S. Navy leadership positions, to include Commanding Officer, USS CHAFEE (DDG 90), in the Seventh Fleet area of operations, you demonstrated exceedingly poor judgment and leadership by repeatedly and improperly accepting gifts from Mr. Leonard Francis, the President of Glenn Defense Marine Asia (GDMA), a defense contractor and, therefore, a prohibited source. In addition, you improperly endorsed GDMA, maintained an inappropriate relationship with Mr. Francis, made a false official statement to investigators regarding the nature of this relationship, obstructed justice by sharing with Mr. Francis information regarding a Naval Criminal Investigative Service investigation, and conspired with Mr. Francis to defraud the United States. As a business owner conducting significant contractual financial relationships with the United States government, Mr. Francis had a clear and obvious financial incentive to curry favor with senior officers. In addition, Mr. Francis was engaged in a criminal conspiracy to defraud the government. As demonstrated in federal court, the full extent of the losses to the United States and its taxpayers, as a result of Mr. Francis's criminal activities, exceeds \$34,800,000.

2. Your inappropriate relationship with Mr. Francis began in 2001 while serving as Flag Aide for Commander, U.S. Seventh Fleet, and continued for more than a decade. As your leadership positions increased, so too did your value to Mr. Francis. As Flag Aide, Mr. Francis specifically described you as his means to "grease" your Commander and the "pipeline" between him and your Commander. He also said you were on his "payroll" since that time because you "kept delivering."

3. You repeatedly and improperly solicited and accepted gifts from a prohibited source by failing to pay fair market value or return them, as required per reference (a). Between April 1 and 6, 2008, while serving as Prospective Commanding Officer, USS CHAFEE, you improperly solicited and accepted the gift of discounted lodging at the Marco Polo Hotel in Hong Kong, from Mr. Francis. Between April 15 and 19, 2009, while serving as Commanding Officer, USS CHAFEE, you improperly solicited and accepted the gifts of Dom Perignon champagne, Cohiba Maduro cigars, free transportation, flowers, and free or discounted lodging at the Shangri-La Hotel in Kota Kinabalu, Malaysia, for you and your girlfriend. On or about April 16, 2009, you improperly accepted the gift of a dinner at the Shang Palace in Kota Kinabalu, Malaysia, and between May 11 and 15, 2009, you improperly accepted free or discounted lodging at the Grand

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Hyatt Hotel in Hong Kong. Less than a month later, between June 5 and 10, 2009, you improperly solicited and accepted from Mr. Francis the gifts of transportation and flowers, and accepted free or discounted lodging at the Shangri-La Hotel in Singapore. On June 6, 2009, you improperly solicited from Mr. Francis arrangements for your marriage proposal and ultimately accepted the gift of an elaborate and lavish private dinner with a jazz ensemble, on the helipad of the Swissotel in Singapore. Mr. Francis/GDMA spent approximately \$18,000 for this event. You continued to improperly solicit and accept more gifts, including free or discounted lodging at the Shangri-La Hotel in Singapore, in July 2009; free or discounted lodging at the Siam Bayshore Resort in Pattaya, Thailand, in July 2009; free transportation and free or discounted lodging at the Shangri-La Hotel in Singapore, in January 2010; and free transportation in Singapore, in April 2010. In addition, (b)(7)(A) while serving as a Strategic Assessments Division Officer at U.S. Pacific Command (PACOM), you improperly accepted the gift of a free dinner (b)(7)(A)

4. There is no evidence that you consulted with, or obtained a legal opinion from any judge advocate regarding any of the foregoing gifts. Based on the materials in the record concerning you, no exception under reference (a) applied to make your acceptance ethically permissible.

5. Mr. Francis stated that he instructed you to pass the "gospel word" of GDMA to other officers, and your actions show you did just that, contrary to ethics rules and loyalty to the U.S. Navy. While serving as Commanding Officer, USS CHAFEE, you further violated reference (a) by improperly endorsing GDMA. In May 2009 as Commanding Officer, USS CHAFEE, you sent record message traffic praising GDMA for its support and also wrote to Mr. Francis declaring that you would "make sure to press other COs out there to keep sending BZs about Glenn Marine." That was less than a month after receiving free transportation, Dom Perignon champagne, flowers, and discounted lodging from Mr. Francis/GDMA. Separately, you confirmed in an email your loyalty to GDMA by writing, "[a]t least by word of mouth, I'm passing on to everyone I know how great GDMA is."

6. Between 2008 and 2013, while you served as Commanding Officer, USS CHAFEE, and as a Strategic Assessments Division Officer (J83) at PACOM, you were part of Mr. Francis's conspiracy to defraud the U.S. government by disclosing internal Navy affairs to further GDMA's business interests. In addition, on multiple occasions between 2008 and 2013, you committed the offense of graft, in violation of Article 134 of reference (b), by wrongfully accepting gifts with values in excess of \$25,000, in recognition of services you rendered to Mr. Francis/GDMA relating to official matters. These services included improperly endorsing GDMA, facilitating inappropriate relationships between Mr. Francis and other Naval Officers, providing advice to Mr. Francis/GDMA relating to its business with the Navy, and sharing internal Navy information with Mr. Francis. Your conduct in accepting these gifts in recognition of these services was of a nature to bring discredit upon the armed forces.

7. In addition to conspiracy, graft, improper gift acceptance, and improper endorsement, you also made a false official statement, in violation of Article 107 of reference (b). On or about August 10, 2012, during the interview portion of the process of renewing your security clearance, you failed to report your numerous and extensive contacts with Mr. Francis, a foreign

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citizen, over the preceding seven years. You were untruthful in not disclosing those contacts when required.

8. On or about December 4, 2012, you obstructed justice, in violation of Article 134 of reference (b), and made clear you held a higher loyalty to Mr. Francis than to the United States by wrongfully endeavoring to impede a criminal investigation into GDMA's fraudulent business practices. You notified Mr. Francis of an ongoing investigation by the Naval Criminal Investigative Service and Korean authorities, and provided Mr. Francis information to avoid or minimize criminal and civil liability. Your conduct was of a nature to bring discredit upon the armed forces.

9. Reference (c) establishes a clear prohibition of the use of one's public office for private gain. The frequency of the gifts you received, the fact that you had direct and personal contact with Mr. Francis regarding them, your false statement regarding your relationship with Mr. Francis, and your effort in advising Mr. Francis on how to avoid or minimize his and GDMA's liability when they were being investigated, would lead a reasonable person with knowledge of the relevant facts to believe that you used your public office for private gain. Your willingness to accept those gifts provided the worst type of example for subordinate officers within your chain of command and other officers who observed your interaction with Mr. Francis.

10. Pursuant to reference (d), you were responsible for setting the ethical and moral tone for your subordinates and your command. Your improper personal behavior, including the acceptance of gifts on multiple occasions from a prohibited source and your overly familiar relationship with Mr. Francis, set a wholly unacceptable ethical tone. As such, your conduct constituted a significant deviation from the standards expected of all Naval Officers, particularly those entrusted with command and other leadership positions.

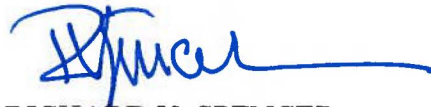
11. Your conduct during this period was contrary to the Standards of Ethical Conduct for Employees of the Executive Branch, the Uniform Code of Military Justice, the Joint Ethics Regulation, and U.S. Navy Regulations, references (a), (b), (c), and (d); standards which you had a duty to know, obey, and model.

12. Your actions have cast a shadow over the reputation of all the outstanding men and women who served during your tenure in command and time in other leadership positions. You were in positions of importance, including that of a commanding officer of a United States Navy warship, expected to model the core values of the Navy as a leader and shape our Navy leaders of the future. Instead, you abused your positions to accept gifts from Mr. Francis/GDMA, improperly endorse GDMA, commit graft, conspire with Mr. Francis to defraud the United States, and obstruct justice. In addition to those abuses, you made a false statement during an investigation with national security implications.

13. You are, therefore, administratively censured for your leadership failures. A copy of this letter will be placed in your official service record in accordance with reference (e).

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14. Within 15 days of the receipt of this letter, you may forward a rebuttal, consistent with reference (e), for inclusion in your official record, if you so desire.



RICHARD V. SPENCER

Copy to:
Consolidated Disposition Authority
Chief of Naval Personnel